UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

08 APR 15 AM 10:40

UNITED STATES OF AMERICA,	)	Magistrate Case No.
	)	**'08 MJ 1149**
Plaintiff,	)	
	)	COMPLAINT FOR VIOLATION OF:
v.	)	
	)	Title 8, U.S.C., Section 1326;
Jose Guadalupe MORALES-Ambriz	)	Deported Alien Found in the
	)	United States
	)	
Defendant.	)	
	)	

The undersigned complainant, being duly sworn, states:

On or about, **November 16, 2007**, within the Southern District of California, defendant, **Jose Guadalupe MORALES-Ambriz**, an alien, who previously had been excluded, deported and removed from the United States to Mexico, was found in the United States, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
Lisette Guzman, Deportation Officer
Immigration & Customs Enforcement,

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **15th** DAY OF **APRIL 2008.**

UNITED STATES MAGISTRATE JUDGE

Cx

PROBABLE CAUSE STATEMENT

On Friday, November 16, 2007, the defendant identified as Jose Guadalupe MORALES-Ambriz was arrested in San Diego, California by the Probations Department for Violation of Parole and booked into San Diego County Jail. While in the custody of the San Diego Sheriffs Department an Immigration Enforcement Agent conducted a field interview, and determined the defendant to be a citizen of Mexico and placed an "Immigration Detainer" (Form I-247) pending his release from State custody. On Monday, April 14, 2008, the defendant was referred to United States Immigration and Customs Enforcement custody. An Immigration Enforcement Agent reviewed various sources of information and conducted official record checks in regards to the defendant confirming him to be a citizen of Mexico having been previously removed from the United States.

A thorough review of official immigration computer database record checks and information contained in the Alien Registration file revealed that the defendant was most recently ordered removed from the United States by an Immigration Judge on or about September 06, 2001 and physically removed to Mexico on that day via the San Ysidro California Port of Entry. Record checks further indicate that the defendant has not applied to the Attorney General of the United States or the Secretary of the Department of Homeland Security for permission to re-enter the United States.

The Automated Biometric Fingerprint Identification System "IDENT" and Automated Fingerprint identification System "IAFIS" were utilized and compared the defendant's fingerprints to those contained in these databases. The results confirmed the defendant's identity as Jose Guadalupe MORALES-Ambriz, a citizen and national of Mexico. A photograph and a set of fingerprints contained within the official Alien Registration File were also reviewed and compared to the defendant, further confirming his identity.